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March 14, 1996

HAND DELIVER

Mr. Scott Blake Harris  
Chief, International Bureau  
Federal Communications Commission  
2000 M Street, N.W.  
Washington, D.C. 20554

Ms. Michele C. Farquhar  
Chief, Wireless Telecommunications Bureau  
Federal Communications Commission  
2025 M Street, N.W.  
Washington, D.C. 20554

DOCKET FILE COPY ORIGINAL

Re: CC Docket No. 92-297 (28 GHz Band Plan)

Dear Mr. Harris and Ms. Farquhar:

Lockheed Martin Corporation ("Lockheed Martin"), by its counsel, hereby submits the following comments concerning two band plan options currently under consideration for the 28 GHz band. The two options have been described by the Commission's staff as "Option 5" and "Option 4 prime."

Lockheed Martin has consistently stated that GSO/FSS systems require the adoption of a 28 GHz band plan that provides at least 1 GHz of spectrum and that minimizes burdensome sharing constraints for GSO/FSS within that spectrum. To this end, Lockheed Martin has supported the adoption of various band plan options under discussion in this proceeding, including Options 1, 2, 2A, 2B and most recently Option 5. One of the two band plans currently under consideration, Option 5, satisfies the requirement for 1 GHz of spectrum, and it also reflects a sharing environment that is manageable from the GSO/FSS perspective.

Lockheed Martin has supported Option 5 since it was first proposed and has strongly urged its adoption. To forestall the adoption of a band plan known as Option 4, which would have reduced GSO/FSS spectrum below 1 GHz, and to suggest a compromise to an impasse between the parties, Lockheed Martin proposed a band plan known as Option 4A. This plan involved the sharing of 75 MHz of spectrum with LMDS, with the expectation that GSO/FSS could accept a coordination burden in this 75 MHz that would restrict its usage when compared to the remaining 925 MHz of spectrum that would be available for GSO/FSS operations. However, Option 4A was submitted as a measure of last resort in

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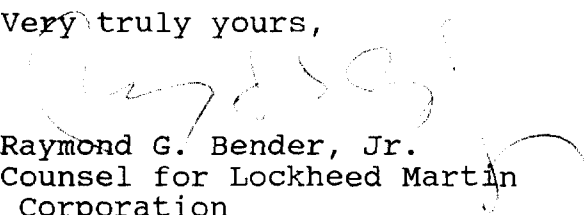
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order to avoid the harsh results that would have been imposed under band plan Option 4.

In the recently-proposed Option 4 prime, the amount of spectrum shared with LMDS has nearly doubled to 135 MHz, leaving only 875 MHz of GSO/FSS spectrum free from LMDS sharing constraints. Lockheed Martin believes that Option 4 prime reflects a significant setback to the prospects that the parties can reach a consensus on an option that involves sharing between GSO/FSS and LMDS. Lockheed Martin wishes to make clear that, as a result of this increase in the bandwidth that would be shared with LMDS, it will be necessary for LMDS to take a correspondingly greater proportion of the burden-sharing in the coordination constraints that will apply. Lockheed Martin submits that negotiating acceptable coordination constraints that would apply across a 135 MHz frequency range would need to involve all interested parties from the GSO/FSS and LMDS communities, and the resolution of mutually-acceptable coordination conditions would take time to accomplish.

For these reasons, Lockheed Martin again strongly urges the Commission to adopt Option 5 so that this proceeding can be concluded, FCC authorizations can be issued, and the parties can proceed to implement their respective systems. The adoption of Option 4 prime will require extensive further negotiations between the GSO/FSS and LMDS interests, and will only delay these proceedings further.

Very truly yours,

  
Raymond G. Bender, Jr.  
Counsel for Lockheed Martin  
Corporation

RGB/db

cc: Chairman Reed E. Hundt  
Commissioner James H. Quello  
Commissioner Andrew C. Barrett  
Commissioner Susan Ness  
Commissioner Rachelle Chong  
Mr. William F. Caton  
Mr. Rudolfo Baca  
Ms. Jackie Chorney  
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Mr. Donald Gips  
Mr. Giselle Gomez  
Mr. Robert James  
Mr. Karl Kensinger

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